

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA
-v-

Kang Yeon Lee,
Defendant.
-----X

*** AMENDED ***
JUDGMENT INCLUDING SENTENCE
UNDER THE SENTENCING REFORM ACT

CASE NUMBER: CR-05-278(FB)
IRVING ANOLIK, ESQ.
225 BROADWAY, SUITE 1902
NEW YORK, NY 10007
Defendant's Attorney & Address

THE DEFENDANT: Kang Yeon Lee
XX pleaded guilty to counts ONE AND TWO OF AN INFORMATION.

Accordingly, the defendant is ADJUDGED guilty of such count(s), which involve the following offenses:

<u>TITLE & SECTION</u>	<u>NATURE & OFFENSE</u>	<u>COUNT NUMBER(S)</u>
T. 18 U.S.C. 1341	THE DEFENDANT DID KNOWINGLY AND INTENTIONALLY COMMIT MAIL FRAUD	1
T. 29 U.S.C. 666(e)	WILLFUL VIOLATION OF OSHA REGULATIONS	2

The sentence is imposed pursuant to the Sentencing Reform Act of 1984.
XX It is ordered that the defendant shall pay to the United States a special assessment of \$ 110.00
which shall be due immediately :

It is further ORDERED that the defendant shall notify the United States Attorney for this district within 30 days
of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed
by this Judgment are fully paid.

Defendant's Soc. Sec # _____

Defendant's Mailing Address:
218-03 43 AVENUE

BAYSIDE, NY 11361

JUNE 15, 2006
Date of Imposition of Sentence

4
THE HONORABLE FREDERIC BLOCK
8/11/06
Date

A TRUE COPY ATTEST
Date: 8/11/06
ROBERT C. HEINEMANN
CLERK OF COURT
By: [Signature]
MIKE J. INNELLI
DEPUTY CLERK

Case Number: CR-05-278(FB)

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of TWENTY-FOUR (24) MONTHS AS TO COUNT ONE OF THE INFORMATION, AND SIX (6) MONTHS AS TO COUNT TWO OF THE INFORMATION. THE SENTENCE IMPOSED ON COUNT TWO SHALL RUN CONSECUTIVELY TO THE SENTENCE IMPOSED ON COUNT ONE FOR A TOTAL OF THIRTY (30) MONTHS.

____ The defendant is remanded to the custody of the United States Marshal.

XX The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

RETURN

The defendant was delivered on _____ to _____ at _____, with a certified copy of this Judgment.

By _____

Defendant: _Kang Yeon Lee
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SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **TWO (2) YEARS WITH THE SPECIAL CONDITIONS: (1) THE DEFENDANT SHALL MAKE FULL FINANCIAL DISCLOSURES TO THE PROBATION DEPARTMENT; (2) THE DEFENDANT SHALL COMPLY WITH THE RESTITUTION ORDERED IN THIS JUDGMENT, AND (3) THE DEFENDANT SHALL COMPLY WITH THE FORFEITURE ORDER IN THIS JUDGMENT.**

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

__ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

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FINE

The defendant shall pay a fine in the total sum of \$213,133.80 as to count two. The fine shall be paid at the rate of 25% of his net monthly income. The fine shall be paid out of the payments ordered in the restitution in this judgment. The interest requirement is waived. Payments shall commence one month after his release from incarceration, and shall be paid to the Clerk of the Court who shall periodically remit such monies proportionally as to the restitution and the following victims:

\$157,940.00 TO U.S. DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AT 201 VARICK STREET, ROOM 908, NEW YORK, NY 10014. INSPECTION # 307026302

\$55,193.80 TO U.S. DEPARTMENT OF LABOR, EMPLOYMENT STANDARDS ADMINISTRATION, WAGE & HOUR DIVISION AT 26 FEDERAL PLAZA, NEW YORK, N.Y.. CASE IDENTIFICATION # 137221

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RESTITUTION

RESTITUTION IS ORDERED IN THE TOTAL SUM OF \$1,000,000.00. THE SUM OF \$350,000.00 HAS ALREADY BEEN PAID TO THE CLERK OF THE COURT. THE SUM OF \$300,000.00 WILL BE PAID PRIOR TO THE DEFENDANT’S SURRENDER DATE, WHICH IS SEPTEMBER 5, 2006. THE BALANCE OF \$350,000.00 SHALL BE PAID MONTHLY AT THE RATE OF 25% OF THE DEFENDANT’S NET MONTHLY INCOME, WITH PAYMENTS TO COMMENCE ONE MONTH AFTER HIS RELEASE FROM INCARCERATION. THE BALANCE SHALL BE PAID IN FULL BY THE END OF THE DEFENDANT’S TERM OF SUPERVISED RELEASE. PAYMENTS SHALL BE MADE TO THE CLERK OF THE COURT WHO SHALL PERIODICALLY REMIT SUCH MONIES PROPORTIONALLY TO THE VICTIMS AS FOLLOWS:

\$400,000.00 TO THE ESTATE OF ANGEL SEGOVIA, C/O ENNIL SEGOVIA AT 880 WYCOFF AVENUE, APT. 3R, BROOKLYN, N.Y. 11237

\$500,000.00 TO BAK GEUM YEOL AT 139-29 34TH STREET, APT. 8-D, FLUSHING, NY 11354

\$100,000.00 TO JOSE FERNANDEZ AT 35-51 91 STREET, QUEENS, NY 11369

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STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;**
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;**
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;**
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;**
- 5) the defendant shall support his or her dependents and meet other family responsibilities;**
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;**
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;**
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;**
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;**
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;**
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;**
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;**
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;**
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.**

These conditions are in addition to any other conditions imposed by this Judgment.

SLR:MPS
F.#2005V00795

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

ORDER OF FORFEITURE

- against -

05 CR 278 (FB)

KANG YEON LEE,

Defendant.

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WHEREAS, in a plea agreement dated April 21, 2005, the defendant KANG YEON LEE, pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure, agreed to forfeit to the United States of America the sum of ninety-six thousand, five hundred fifty-one dollars and twelve cents (\$96,551.12) (the "Forfeiture Money Judgment"); and

WHEREAS, pursuant to the plea agreement, the government has received payment of the above-mentioned funds and it is in the custody and control of the United States Marshals Service; and

WHEREAS, the Court finds that the defendant had an interest in the above-described funds and property, which are forfeited to the United States of America pursuant to 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461(c); and

WHEREAS, the plea agreement and such forfeiture shall be made part of the sentence and included in the judgment of

conviction.

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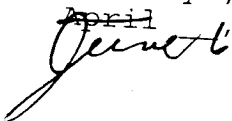
NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that all right, title and interest in the Forfeiture Money Judgment is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, this Order of Forfeiture shall be made part of the sentence and included in the judgment of conviction of the defendant; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the United States Marshal's Service and all of its duly authorized agents and/or contractors are hereby authorized and directed to dispose of the Forfeited Money Judgment in accordance with all laws and regulations; and

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Clerk of the Court shall forward five certified copies of this Order to the United States Attorney's Office, 1 Pierrepont Plaza, 14th Floor, Attn: AUSA Kenneth Stahl.

Dated: Brooklyn, New York
~~April~~ 2006



HONORABLE FREDERIC BLOCK
UNITED STATES DISTRICT JUDGE